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Supreme Court, U.S.
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No. 93-1670

In The
Supreme Court of the United States
October Term, 1993

GEORGE RAYMOND ANDERSON,

Petitioner

v.

ELECTRONIC DATA SYSTEMS CORP.,
DOUGLAS M. CROW,
ANTHONY E. WEYNAND,
RICHARD P. SHLAKMAN,
and DARRELL JOHNSON,

Respondents.

BRIEF IN OPPOSITION TO PETITION FOR WRIT OF CERTIORARI

PATRICK SHAW
Counsel of Record

WOODWARD & SHAW,
a Professional Corp.
6688 North Central Expwy.,
Suite 1190
Dallas, TX 75206
(214)373-4090 — Telephone
(214)890-7628 — Facsimile

Counsel for Respondent,
Douglas M. Crow

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QUESTIONS REVISITED

1. Whether the district court erred in finding that Plaintiff's state law cause of action for wrongful discharge which referred to an employee benefit plan and the Employee Retirement Income Security Act ("ERISA") and which required the existence of an ERISA plan to have an action was preempted by ERISA, either because the action related to an ERISA plan or it conflicted with ERISA's civil enforcement scheme, § 502(a).

2. Whether the district court erred in applying the doctrine of complete preemption to Plaintiff's wrongful discharge claim which fell within the scope of ERISA's civil enforcement scheme, § 502(a).

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TABLE OF AUTHORITIES

Respondent, Douglas M. Crow, adopts by reference the Table of Authorities contained in the Brief In Opposition to Petition for Writ of Certiorari of Respondents Electronic Data Systems Corp., Anthony E. Weynand, Richard P. Shlakman and Darrell Johnson.

STATEMENT OF THE CASE

Respondent, Douglas M. Crow, adopts by reference the Statement of the Case contained in the Brief in Opposition to Petition for Writ of Certiorari of Respondents Electronic Data Systems Corp., Anthony E. Weynand, Richard P. Shlakman and Darrell Johnson.

SUMMARY OF THE ARGUMENT AND ARGUMENT

Respondent, Douglas M. Crow, adopts by reference the summary of the argument, argument and authorities contained in the Brief in Opposition to Petition for Writ of Certiorari of Respondents Electronic Data Systems Corp., Anthony E. Weynand, Richard P. Shlakman and Darrell Johnson.

CONCLUSION

Respondent, Douglas M. Crow, adopts by reference the conclusions contained in the Brief in Opposition to Petition for Writ of Certiorari of Respondents Electronic Data Systems Corp., Anthony E. Weynand, Richard P. Shlakman and Darrell Johnson, and requests that this Court deny all relief requested by George Raymond Anderson, Petitioner, in his Petition for Writ of Certiorari and allow the decision of the Fifth Circuit to stand.

Respectfully submitted,

WOODWARD & SHAW,
A Professional Corp.

Patrick Shaw
6688 North Central Expressway,
Suite 1190
Dallas, TX 75206-3990
Phone (214)373-4090
Fax (214)890-7628

ATTORNEYS FOR
RESPONDENT
DOUGLAS M. CROW